

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
CERAMICAS INDUSTRIALES, S.A. and :  
BRIGGS PLUMBING PRODUCTS, INC., :  
Plaintiffs, : 08 Civ. 5114 (BSJ)  
v. :  
METROPOLITAN LIFE INSURANCE :  
COMPANY, :  
Defendant. :  
-----x

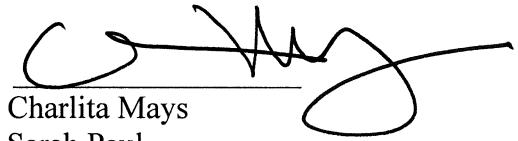
PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss, and upon all the papers and proceedings herein, the Defendant Metropolitan Life Insurance Company, by its undersigned attorneys, will move this Court before the Honorable Barbara S. Jones, United States District Judge for the Southern District of New York, at the United States Courthouse, Courtroom 18B, 500 Pearl Street, New York, New York 10007, on September 9, 2008, or as soon thereafter as counsel may be heard, for an order dismissing Plaintiffs' complaint for failure to state a claim upon which relief can be granted pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that pursuant to Rule 6.1(b) of the Local Rules of the United States District Court for the Southern District of New York, Plaintiffs are required to serve opposition papers, if any, by August 25, 2008.

Dated: New York, New York  
August 11, 2008

SPEARS & IMES LLP

By:

  
Charlita Mays  
Sarah Paul  
Sara L. Shudofsky  
51 Madison Avenue  
New York, NY 10010  
[cmays@spearsimes.com](mailto:cmays@spearsimes.com)  
[spaul@spearsimes.com](mailto:spaul@spearsimes.com)  
[sshudofsky@spearsimes.com](mailto:sshudofsky@spearsimes.com)  
Tel.: (212) 213-6996  
Fax: (212) 213-0849

*Attorneys for Metropolitan Life  
Insurance Company*

TO: Edward K. Lenci, Esq.  
Hinshaw & Culbertson LLP  
780 Third Avenue, 4<sup>th</sup> Floor  
New York, NY 10017

*Attorneys for Ceramicas  
Industriales, S.A. and Briggs  
Plumbing Products, Inc.*